

COMMENT LETTER # 5

GARY & KCAMMEE VREMAN

Mr. Webb,

This is in response to the "Draft Supplemental Environmental Report" dated May 2006 and my concerns and/or comments.

1

Development Standards - The report indicates that the casino will develop to the standards of UBC, UFC, and County Ordinances. The report does not address the enforcement nor recourse after the facility is built, since the Tribe is outside the local laws of County government.

2

Water Delivery - The report refers to the Tribal Utility District, but where is the water being brought from. The report is silent with the source of the water. El Dorado County and much of California has cyclical water preservation and metering status needs.

3

Comparison of Alternatives, "Impact Comparison Table" - The table appears to be rated based on improvement from one alternative to another, versus the impact on the local community. Trip generation between 4,728 and 9,918 are significant. Traffic is already significant daily due to commuting both in the AM and PM time periods. In addition, it's referenced that Noise is "LTS". I live adjacent and south of the abandoned railroad tracks off Shingle Springs Drive and noise would be significant. Since the report does not have a percentage basis of the daily trip generation totals, it's hard to know it's true impact and what percentage of traffic does the "proposed" casino generate from the overall traffic patterns.

4

Assessment - It's referenced that the El Dorado County Land Use Plan does not apply to the Rancheria. Unfortunately, the cost of the road use and maintenance would be born by the El Dorado County residents. The traffic and noise that would be generated by the casino, would impact the residents directly. I've personally driven by other casinos, much smaller than the one purposed here and the local community is impacted significantly, including traffic, noise, and road maintenance issues.

5

Impact 5.4-4 Existing Plus Project - Local Roads Analysis - With the interchange entrance being purposed where two local elementary schools and a church are located, traffic is already steady and would be impacted by the interchange. 5,000 trips a day cannot be mitigated adequately with existing traffic patterns. The report should also indicate what trip increase would occur on Motherload and Shingle Springs drive as a result of drivers finding alternate routes.

6

The report does not reflect a true indication of the impacts to the local community, but deals more with supporting the "proposed" casino and comparing this report to the original 2002 EIR. The report is limited and only reports limited statistics to support the proposed interchange project

7

and does not adequately address the concerns above.

7 Cont.

Please consider my response and include it for review.

Sincerely,
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COMMENT LETTER #5 RESPONSE

Comment Letter #5 – Gary and Kcammee Vreman

5-1. This is an introductory comment. No response is required.

5-2. The comment questions how the commitment that the hotel/casino will develop pursuant to applicable building and fire codes will be enforced. This is beyond the scope of the Court of Appeal's ruling, having been litigated and decided in favor of Caltrans by both the trial court and the Court of Appeal. Ruling at 23-26; Decision at 30-31. Accordingly, this issue is beyond the scope of the Supplemental EIR. Also, this is addressed at length in the 2002 Final EIR at Responses 34-3 and 40-6. Essentially, the Shingle Springs Band has entered into agreements with the Bureau of Indian Affairs, the State of California and/or Caltrans, and has adopted an off-Reservation Environmental Impacts Ordinance, all of which obligate it to comply with mitigation requirements imposed on the hotel/casino project.

5-3. This comment questions the source of the water for the hotel/casino. This issue is beyond the scope of the Court of Appeal's ruling, having been litigated and decided previously in favor of Caltrans by both the trial court and the Court of Appeal. Ruling at 20; Decision at 32. Accordingly, this issue is beyond the scope of the Supplemental EIR. Also, this is addressed in the 2002 Final EIR at Responses 5-1, 19-3 and 36-10, among others.

5-4. The comment appears to suggest that the Supplemental EIR does not contain trip generation estimates for Alternatives D and E. Those estimates are contained in Appendix B.

5-5. This is a general comment about the impacts of casinos on communities. This comment states that "the cost of the road use and maintenance would be born[e] by El Dorado County residents." Although the comment does not specify the roads to which it relates, Caltrans notes in response to this comment that the analysis in the 2002 EIR concludes that, if the casino and hotel are built, most drivers accessing those facilities will not do so from local roads. The immediate and primary access to the Rancheria will be via the interchange, and the Tribe will be responsible for maintaining the interchange. In addition, the Tribe has committed, pursuant to Section 10.8 of the Tribal State Compact, to make its fair share contribution to future master planned improvements along US-50 between the El Dorado County line and El Dorado Hills Boulevard. See BIA Finding of No Significant Impact (December 3, 2002) at p.9. Caltrans also undertook a detailed analysis of the community impacts of the interchange project. See Appendix to 2002 EIR, "Community Impact Assessment Technical Study Shingle Springs Rancheria Interchange Project." Furthermore, with respect to County services, the casino will undertake its own security, emergency services and fire protection, to be expanded and operated by the Tribal Government. See 2001 NIGC EA at pp.6-7–6-8. Thus, the casino project was determined not to have a significant impact on public services.

The commenter also expresses concern regarding noise impacts, and Caltrans acknowledges that concern for the record.

5-6. This appears to be a comment generally pertaining to the traffic analysis in the 2002 Final EIR, and specifically to the analysis of traffic on Motherload and Shingle Springs Drive. This issue is beyond the scope of the Court of Appeal's ruling, having been litigated and decided in favor of Caltrans by both the trial court and the Court of Appeal. Ruling at 21-22;

Decision at 40-44. Accordingly, this issue is beyond the scope of the Supplemental EIR. Also, this is addressed in the 2002 Final EIR at Responses 21-4 and 21-5, among others.

5-7. The commenter asserts that the Supplemental EIR does not accurately reflect the impacts of the Interchange Project and that it is biased in favor of the project. Caltrans disagrees with these assertions. The Supplemental EIR, like the 2002 EIR, which was upheld by the trial court and the Court of Appeal in all but limited respects, is adequate and objective, and its conclusions and findings are supported by substantial record evidence.

5-8. The commenter requests that Caltrans please include its comments in the Final Supplemental EIR. Both the comments and these responses are included in the Final Supplemental EIR.